



## WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

**DATE** April 25, 2022  
**TO** Joint Transportation, Highways and Military Affairs Interim Committee  
**FROM** Heather N. Jarvis, LSO Attorney  
**SUBJECT** Background and considerations for 23LSO-00bb regarding permanent registration of utility trailers and other vehicles

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The Joint Transportation, Highways and Military Affairs Interim Committee will review a bill draft that allows for permanent registration of utility trailers at the May 2022 meeting. This memorandum provides background information for the bill draft. The bill draft is substantially similar to a 2022 individual bill draft, Senate File 0022, which did not pass the Senate.

This bill draft, 23LSO-00bb, provides that utility trailers<sup>1</sup> that are eleven or more years old may be permanently registered by paying:

- (i) An administrative and decal fee;
- (ii) Regular title, registration, and license plate fees; and
- (iii) An additional amount equal to five times the applicable registration fees.

The criteria and requirements for permanent registration in the bill draft are similar to the criteria and requirements in Montana's permanent vehicle licensing laws. Montana's permanent licensing laws provide for permanent licensing for vehicles that are at least eleven years old and require payment of a permanent registration fee, payment for regular registration and plates if the vehicle does not already have them, and a payment of an amount equal to five times the renewal fee.<sup>2</sup> Montana allows for permanent licensing of light vehicles, which means an "automobile, van, sport utility vehicle, or truck having a manufacturer's rated capacity of 1 ton or less."<sup>3</sup> Montana also allows for permanent registration of a vehicle that is a "general transportation collector's item," which means "a motor vehicle, trailer, semitrailer, or pole trailer that is 25 years old or

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<sup>1</sup> "Trailer" is defined at W.S. 31-1-101(a)(xxiii) as "a vehicle without propelling power designed to be drawn by a motor vehicle, but excludes converter gear, dollies and connecting mechanisms," and "utility trailer" is further defined at W.S. 31-1-101(a)(xxiii)(C) as "any trailer less than six thousand (6,000) pounds gross vehicle weight."

<sup>2</sup> 61-3-562. Permanent Registration -- Transfer Of Light Vehicle Ownership -- Rules, MCA.

<sup>3</sup> 61-1-101(32). Definitions, MCA.

older and that is used for general transportation purposes."<sup>4</sup> For additional information on the approaches several other states have for permanent vehicle licensing, please refer to the National Conference of State Legislatures' memorandum with the subject "Trailer Registration," dated April 18, 2022, which is included with the Committee's May meeting materials.

Wyoming's permanent registration law cannot be identical to Montana's, because vehicle definitions differ between the two states. Wyoming has its own statutory definitions for various vehicle categories and weights,<sup>5</sup> with different applicable fees distributed to the state and counties.<sup>6</sup> Creating vehicle classes that apply solely for permanent registration purposes could introduce unintended complications to the statutory vehicle registration structure or could prove to be difficult to implement.

Wyoming does not have a "light vehicle" definition like Montana. This bill draft could be revised to include other types of existing vehicles the Committee wishes to include for permanent registration without requiring creation of a new vehicle classification. For example, existing vehicles that could be included may be:

- House trailers, which are:
  - (I) Designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily;
  - (II) Equipped for use as a conveyance on streets and highways; and
  - (III) Eight and one-half (8 1/2) feet or less in width, excluding appurtenances, or more than eight and one-half (8 1/2) feet in width and used primarily as a mobile laboratory or mobile office.<sup>7</sup>
- Motor homes, which means "a motor vehicle designed, constructed and equipped as a dwelling place, living abode or sleeping place either permanently or temporarily, but excluding a motor vehicle carrying a camper."<sup>8</sup>

If the Committee wishes to create new vehicle classification for purposes of permanent registration, the Committee may wish to carefully define each vehicle type. For example, if the Committee were to include livestock trailers, the Committee may wish to specify how broad or narrow the allowance for permanent registration should be. The Committee could include existing classifications such as, "livestock trailers eligible

<sup>4</sup> 61-3-413. Registration Of Motor Vehicle As General Transportation Collector's Item -- Definition -- Permanent Registration Required, MCA.

<sup>5</sup> W.S. 31-1-101.

<sup>6</sup> See Wyoming Statutes Title 31, Chapter 3 "General Fees" and Chapter 18, Article 4 "Fees."

<sup>7</sup> W.S. 31-1-101(a)(xxiii)(A).

<sup>8</sup> W.S. 31-1-101(a)(xv)(D).

for a farm sticker under W.S. 31-2-204(b)"<sup>9</sup> as being eligible for permanent registration. This would cover a small trailer meant to transport four horses, to a large haul trailer that connects to a semi-truck. Statutes already contain the categories and weight calculations for the various trailer weights; so calculating permanent registration would likely be fairly simple to implement. However, because trailer registration fees are calculated by weight and comprise a significant portion of the registration revenue, allowing permanent registration could also mean a significant decrease in revenue for the loss from the heavy trailers' annual registrations. On the other hand, the Committee could create a new class of livestock trailers solely for permanent registration, such as, "lightweight livestock trailers eligible for a farm sticker under W.S. 31-2-204(b) and with a gross/laden weight less than x,000 pounds." This would require county clerks to implement permanent registration for the new classification without any of the other vehicle registration statutes applying to the new classification.

If the Committee wishes to allow permanent registration for vehicles other than utility trailers, a prudent path forward may require the Committee to determine possible vehicles and criteria it would like to include and then examine at its next meeting the potential implications for implementation and revenue.

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<sup>9</sup> W.S. 31-2-204. Issuance of certificates of registration and license plates by county; form.

(b) Except as otherwise provided, license plates shall be of metal not less than twelve (12) inches long in the left-hand end of which shall be arabic numerals for the county in which issued, followed by the bucking horse and rider emblem and a distinctive number assigned to the vehicle, set forth in numerals and letters as determined by the department and above or underneath such numerals shall be the word "Wyoming" and arabic numerals for the year of issue or validation. License plates issued to dealers and for state or federal official forestry vehicles, motorcycles, multipurpose vehicles and trailers shall contain appropriate identification which may be in lieu of the bucking horse and rider emblem. After the county number on the left-hand end, the license plate may also contain a distinctive symbol or letters, as determined by the department, indicating vehicle type. License plates shall be changed or validated annually. There shall be a marked contrast between the color of the plate and that of the numerals and letters and the background of all plates shall be fully reflectorized. Plates for light utility trailers under one thousand (1,000) pounds, motorcycles and multipurpose vehicles shall not be less than three (3) inches wide and six (6) inches long. Antique license plates shall bear no date and shall bear the inscription "Pioneer Wyo". *Distinctive license farm stickers shall be issued by the county treasurer upon request for trucks and trailers used by any farmer or rancher for the transportation of livestock, feed or unprocessed agricultural products owned and produced by the farmer or rancher from the place of production to market and of ranch supplies intended solely for the use of the farmer or rancher, and not for sale, on the return trip, and not for the transportation of goods and persons for hire. Farm stickers shall bear the inscription "Farm". Italics added.*